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Federal Communications Commission  
Office of the Secretary

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WRITER'S DIRECT DIAL NUMBER

August 25 1992

MAIL BRANCH

VIA FEDERAL EXPRESS

Federal Communications Commission  
Secretary

Ms. Donna R. Searcy  
1919 M Street, N.W.  
Washington, D.C. 20554

RE: AMENDMENT OF SECTION 73.202(b), TABLE OF ALLOTMENTS FM BROADCAST STATIONS  
(MOOSE LAKE, MINNESOTA)

Dear Ms. Searcy:

Enclosed herewith for filing, please find the original and four (4) copies of the Petition for Rule-Making in the above-referenced proceeding.

Very truly yours,

MOSS & BARNETT  
A Professional Association

*Brian T. Grogan*  
Brian T. Grogan

1137ZKJD  
Enclosures

cc: Mr. Garrett G. Lysiak, P.E.

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MAIL BRANCH

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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Federal Communications Commission  
Office of the Secretary

IN THE MATTER OF

MM Docket No. 92-\_\_\_\_\_

Amendment of Section 73.202(b).  
Table of Allotments  
FM Broadcast Stations  
(Moose Lake, Minnesota)

RM-\_\_\_\_\_

TO: Chief, Allocations Branch

PETITION FOR RULE-MAKING

Agate Broadcasting of Minnesota, by and through its attorneys, and pursuant to Section 1.420 of the Commission's Rules, respectfully requests that the Commission institute a rule-making proceeding to make changes in the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, as follows:

<u>Location</u>	<u>Present</u>	<u>Proposed</u>
Moose Lake, MN		296C3 <sup>1</sup>

In support of this proposal, the following is shown:

1. As described in the attached Engineering Statement, the proposed coordinates meet FCC spacing requirements set forth in Section 73.207 of the FCC Rules, as well as FCC signal coverage requirements set forth in Section 73.315(a) of the FCC Rules.

2. The proposed allotment would provide Moose Lake, Minnesota and surrounding environs with full time regional broadcast service as well as first aural service.

---

<sup>1</sup> The coordinates for this allotment are 46 27' 35" North latitude, 92 43' 00" West longitude.

3. If the proposed allotment is granted, Agate Broadcasting of Minnesota presently intends to file an application for Channel 296C3 and, if authorized, to build a station promptly.

4. The public interest would be best served by issuing a notice of proposed rule-making and allotting Channel 296C3 to Moose Lake, Minnesota.

WHEREFORE, for all the foregoing reasons, Agate Broadcasting of Minnesota respectfully requests that the Commission commence a rule-making proceeding proposing the amendment of the Table of Allotments, FM Broadcast Stations, to include an allotment of Channel 296C3 to Moose Lake, Minnesota.

Dated: 8-25-92

Respectfully Submitted,

AGATE BROADCASTING OF MINNESOTA

By Brian T. Grogan  
Brian T. Grogan #210808  
MOSS & BARNETT  
A Professional Association  
Attorneys for Agate Broadcasting  
of Minnesota  
4800 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402-4129  
Telephone: (612) 347-0340

488Z140



# OWL ENGINEERING, INC.

CONSULTING COMMUNICATIONS ENGINEERS

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MAIL BRANCH

1306 W. County Road F, St. Paul, MN 55112  
(612) 631-1338 • Fax (612) 631-3502

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Federal Communications Commission  
Office of the Secretary

**ENGINEERING STATEMENT  
ON BEHALF OF AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

August 18, 1992

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ON BEHALF OF AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

State Communications Commission  
Office of the Secretary

Owl Engineering, Inc. has been retained by Agate Broadcasting of Minnesota (hereafter ABM) to prepare this Engineering Statement in support of a petition to amend the FM Table of Allotments, FCC Rules Section 73.202(b) as follows:

<u>Location</u>	<u>Present</u>	<u>Proposed</u>
Moose Lake, MN		296C3

The reference coordinates used for this study are:

46 27' 35" North Latitude  
92 43' 00" West Longitude

ABM's proposal will provide Moose Lake, Minnesota with first aural service.

The proposed site will provide 60 dBu (1 mV/m) signal coverage to the population encompassed by an area of approximately 4,735 square kilometers. Moose Lake has a population of 1,206 based on 1990 U.S. Census data.

The proposal of ABM was evaluated to determine if the proposed coordinates would meet FCC spacing requirements. That analysis is attached as Engineering Exhibit E-1.



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**ENGINEERING STATEMENT  
ON BEHALF OF AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

As can be seen from exhibit E-1, ABM's proposal meets all FCC spacing requirements set forth in section 73.207 of the FCC Rules. There would be approximately 600 square kilometers to select a suitable transmitter site to meet FCC spacing and city coverage requirements.

The proposal of ABM was evaluated to determine if the proposed site would meet FCC signal coverage requirements. The distance from the reference coordinates to the center city coordinates of Moose Lake is 3.5 kilometers at a bearing of 260 degrees. The three to sixteen kilometer average terrain was computed using the NGDC data base and the distance to contours was computed using the FCC F(50,50) metric curves. The distance to the 70 dBu contour along the radial through the principle city was calculated to be 22.6 kilometers, surpassing the city by some 19 kilometers. Engineering Exhibit E-2 shows the 70 dBu signal contour plotted and demonstrates that all of Moose Lake is encompassed by the 70 dBu contour. Engineering Exhibit E-3 shows the intervening terrain between the reference coordinates and Moose Lake. As can be seen from this exhibit there are no major obstacles in the path to the principle city. Clearly, the proposal of ABM meets the requirements of FCC Rules section 73.315(a).



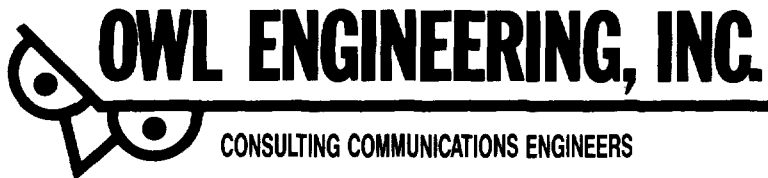
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**ENGINEERING STATEMENT  
ON BEHALF OF AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

Based on the engineering studies provided, the following conclusions can be obtained:

1. The proposal will provide Moose Lake with a full time regional broadcast service.
2. The proposal will meet the requirements of FCC Rules Section 73.315.
3. The proposal will meet the requirements of FCC Rules Section 73.207.
4. The proposal will provide Moose Lake with first aural service.



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ON BEHALF OF AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

**AFFIDAVIT**

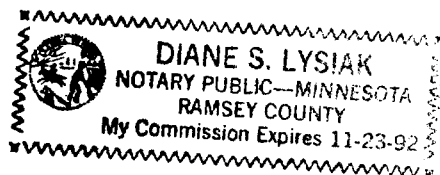
RAMSEY COUNTY                    )  
  )  
STATE OF MINNESOTA            )       ss:

Garrett G. Lysiak, being first duly sworn, says that he is president of Owl Engineering, Inc., consulting communications engineers with offices in Arden Hills, Minnesota; that his qualifications as an expert in communications engineering are a matter of record with the Federal Communications Commission; that the foregoing exhibit was prepared by him and under his direction; and that the statements contained therein are true of his own personal knowledge except those stated to information and belief and, as to those statements, verily believes them to be true and correct.



Garrett G. Lysiak, P.E.

Subscribed and sworn to before me this date August 18, 1992



Diane S. Lysiak  
Notary Public

My commission expires November 23, 1992





CONSULTING COMMUNICATIONS ENGINEERS

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(612) 631-1338 • Fax (612) 631-3502

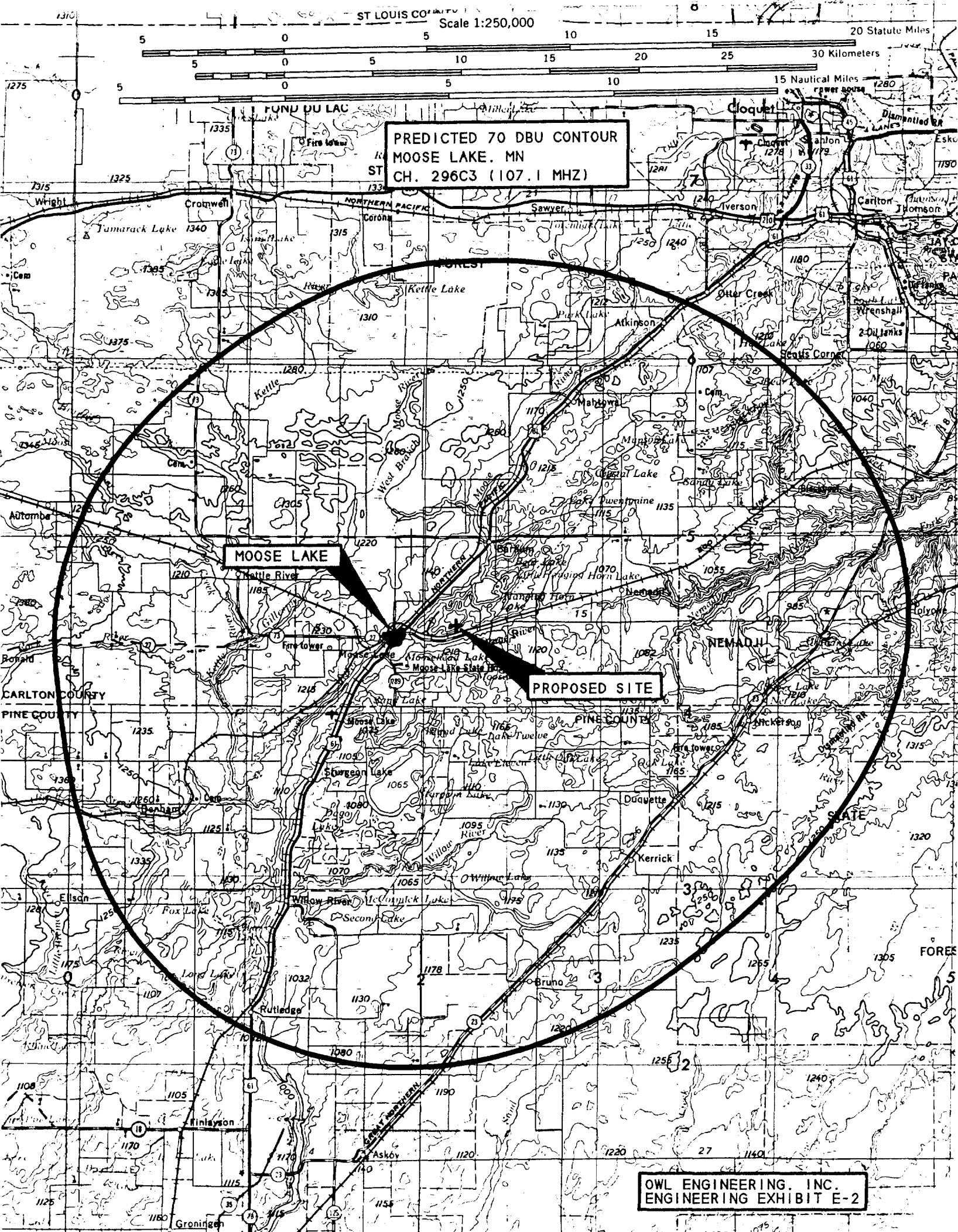
**ENGINEERING EXHIBIT E-1  
AGATE BROADCASTING OF MINNESOTA  
IN SUPPORT OF A PETITION TO AMEND  
THE FM TABLE OF ALLOTMENTS  
CHANNEL 296 TO MOOSE LAKE, MINNESOTA**

FM Channel 296-C3

LATITUDE: 46° 27' 35"  
LONGITUDE: 92° 43' 0"

CHNL Call	City	Class	Calculated Km.	Required Km.	Clear- ance	Bearing °
242	NO CONFLICT					
243	WKLKFM FMMN Cloquet	A	39.36	12	27.36	34.89
243	WKLKFM FRMN Cloquet	A	39.36	12	27.36	34.89
243	FAMN Cloquet	A	34.56	12	22.56	32.99
243	WKLKFM FMMN Cloquet	A	39.36	12	27.36	34.89
243	WKLKFM FRMN Cloquet	C3	36.95	14	22.95	37.65
293	NO CONFLICT					
294	NO CONFLICT					
295	NO CONFLICT					
296	FAWI New Richmond	C3	135.39	153	-17.61	168.09*
296	WIXKFM FMWI New Richmond	C3	153.09	153	0.09	175.75
297	NO CONFLICT					
298	KLIZFM FMMN Brainerd	C1	112.97	76	36.97	263.30
298	FAMN Brainerd	C1	112.97	76	36.97	263.30
299	NO CONFLICT					

\* The allocation record at New Richmond, WI does not require protection since WIXK is a licensed facility.

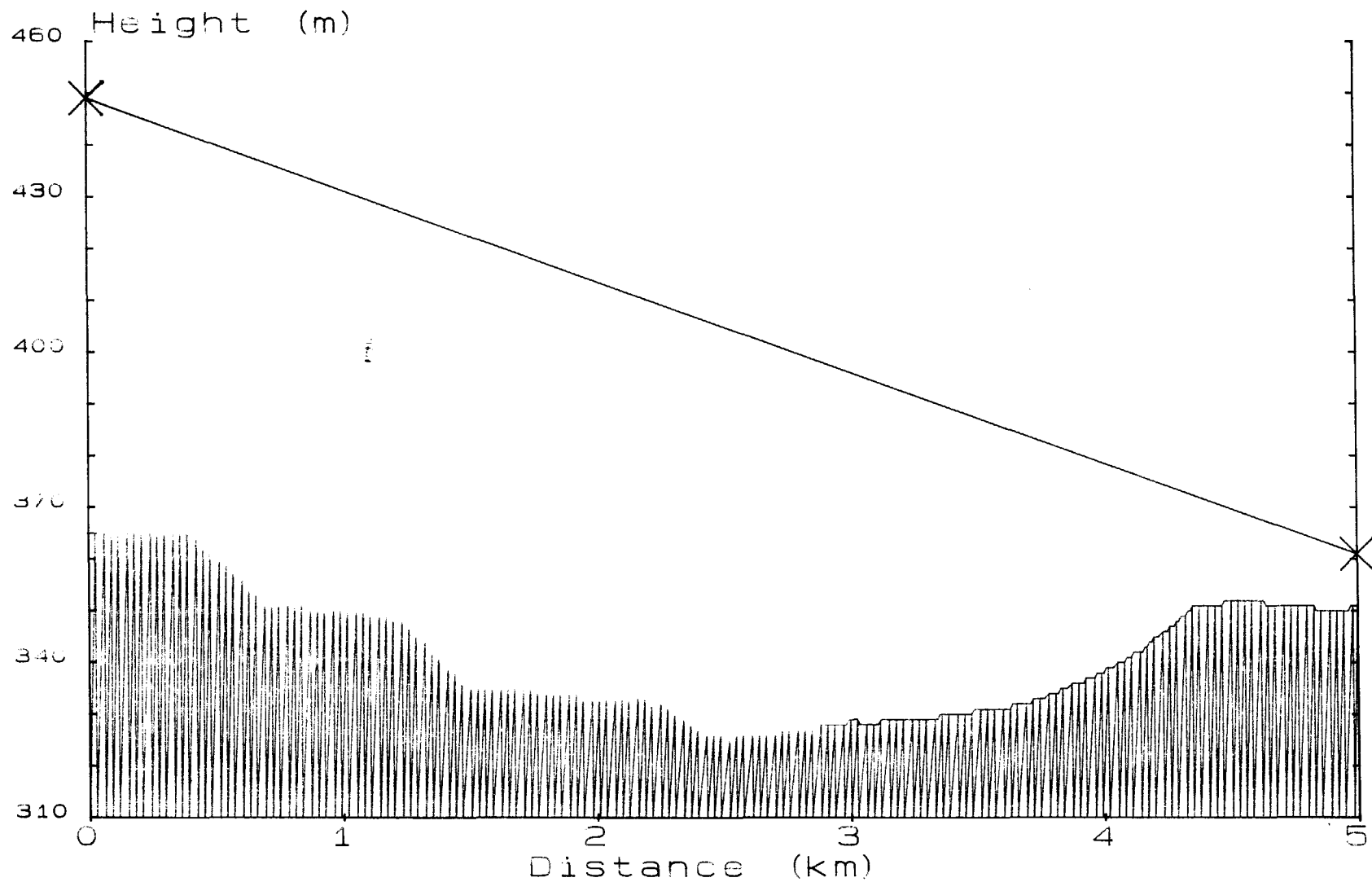


PREDICTED 70 DBU CONTOUR  
MOOSE LAKE, MN  
CH. 296C3 (107.1 MHZ)

MOOSE LAKE

PROPOSED SITE

OWL ENGINEERING, INC.  
ENGINEERING EXHIBIT E-2



Profile Study for Moose Lake, MN

Owl Engineering, Inc.  
1306 W. County Rd. F

Saint Paul, Minnesota  
(612) 631-1338

Engineering Exhibit E-3